

# TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401



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**Project Name:** RYAPOLOV SHORT PLAT

**Case Number:** PLD2004-00052, EVR2004-00042

**Location:** 6401 NE 17<sup>th</sup> Avenue

**Request:** The applicant proposes to short plat approximately .46 acres into 2 single-family residential lots in the R1-6 Zoning District.

**Applicant:** Yevgeniy (Eugene) and Svetlana Ryapolov  
6401 NE 17<sup>th</sup> Avenue  
Vancouver, WA 98665  
(360) 693-3461; E-mail: [Poman995@msm.com](mailto:Poman995@msm.com)

**Contact Person:** Rodgers Engineering  
Attn.: Robert Rodgers, P. E.  
16019 NE 145<sup>th</sup> Avenue  
Brush Prairie, WA 98606  
(360) 254-3591; E-mail: [Rodgers@e-z.net](mailto:Rodgers@e-z.net)

**Property Owner:** (Same as Applicant)

## DECISION

**Approved subject to Conditions of Approval**

**Team Leader's Initials:** \_\_\_\_\_ **Date Issued:** October 27, 2004

## **County Review Staff:**

	<b><u>Name</u></b>	<b><u>Phone Ext.</u></b>	<b><u>E-mail Address</u></b>
<b>Planner:</b>	Michael Uduk	4385	<a href="mailto:Michael.uduk@clark.wa.gov">Michael.uduk@clark.wa.gov</a>
<b>Engineer</b> (Trans. and Stormwater):	Ali Safayi	4102	<a href="mailto:Ali.safayi@clark.wa.gov">Ali.safayi@clark.wa.gov</a>
<b>Engineer</b> (Trans. Concurrency):	Shelley Oylear	4354	<a href="mailto:Shelley.oylear@clark.wa.gov">Shelley.oylear@clark.wa.gov</a>
<b>Team Leader:</b>	Krys Ochia	4834	<a href="mailto:Krys.ochia@clark.wa.gov">Krys.ochia@clark.wa.gov</a>
<b>Engineer Supervisor</b> (Trans. and Stormwater):	Richard Drinkwater, P.E.	4492	Richard.Drinkwater@clark.wa.gov
<b>Engineering Supervisor</b> (Trans. Concurrency):	Steve Schulte P. E.	4017	steve.schulte@clark.wa.gov

### **Parcel Number(s):**

Tax Lot 1-A/28, 1-B/28 (099380-002) located in the SW ¼ of Section 11, Township 1 North, Range 1 East of the Willamette Meridian.

### **Comp Plan Designation:**

Single-Family Residential (R1-6)

### **Applicable Laws:**

Clark County Code Chapter 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.540.030 (Short Plat), 40.370.010 (D) (Public Sewer Connection), 40.370.020 (D) (Water Connection), 40.610 (Impact Fees), 40.220.010 (R1-6), 40.200.050 (Exceptions to lot sizes), 40.500 (Procedure), RCW 58.17 (State Platting Laws)

### **Neighborhood Association/Contact:**

NE Hazel Dell Neighborhood Association  
Bud Van Cleve, President  
1407 NE 68<sup>th</sup> Street  
Vancouver, WA 98665  
(306) 695-1466

### **Time Limits:**

The application was submitted on May 21, 2004, and determined to be fully complete on July 27 2004. The application should have been determined to be fully complete on June 11, 2004, but the applicant was asked to submit additional information and thereby, extended the deadline by 46 days. The applicant placed the project on customer hold for 18 days to enable to him submit additional review materials.

Therefore, the County Code requirement for issuing a decision within 78 days lapses on October 31, 2004. The State requirement for issuing a decision within 120 calendar days, lapses on December 2, 2004.

### **Vesting:**

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on June 26, 2003. The pre-application was determined not contingently vested.

The fully complete application was submitted on May 21, 2004 and determined to be fully complete on July 27, 2004. Given these facts the application is vested on July 26, 2004, the date fully complete item was submitted to the county. There are no disputes regarding vesting regarding this matter.

### **Public Notice:**

Notice of application was mailed to the applicant, Sifton Neighborhood Association and owners of property within 300 feet of the site on August 30, 2004.

This site does not contain any known environmentally sensitive lands – wetlands, potentially unstable slopes, flood plain and flood fringe, and habitat – to warrant a SEPA Checklist review. Therefore, a SEPA Checklist was not required of the applicant.

### **Public Comments:**

The county received a letter from Melinda McLeod and Thomas K. Cowles (Exhibit 7) and a second letter signed by Sherrie LaFurge and nine other persons regarding this application. The neighbors oppose the proposed short plat, and have raised the following issues:

- A. Noise: Noise from the children at play, and barking from their dog disturb the neighbors.
- B. Traffic: The Ryapolovs usually have many visitors whose vehicles cause traffic problems in the area.
- C. Property value: The proposed plat will impact property value in the area.
- D. Crowded living condition: The existing house has 9 people residing in it and the noise level is very high.

### **Staff's Response**

- A. Staff does not have an ordinance to regulate residential noise that results from everyday household activities. The barks from the dog, if it is persistent and regular, could qualify for a nuisance, which is regulated by the county's Animal Control Division or the Sheriff's Department. But the response from the applicant (Exhibit 9) indicates that they no longer have the dog. Assuming the

dog is still at the Ryapolovs, and its barks disturb the neighbors, the neighbors need to contact a Clark County Animal Control Officer at (360) 397-2375, extension 2096

- B. This issue does affect the platting laws and staff has no authority to enforce the number of visitors that can visit a premises.
- C. Staff does not have any authority to comment on property value(s) when reviewing a land division application. The applicant is creating a new lot for single-family housing development, which complies with the R1-6 zone in compliance with the zoning code and the comprehensive plan policies.
- D. The county land division laws do not regulate how many family members could reside in a house. Staff does not have an authority of stipulating how many family members could reside or visit a single-family residential dwelling through the platting review process.

## Project Overview

The applicant is requesting a preliminary plat approval to short plat approximately .46 acres into 2 lots in the R1-6 zoning district using the provisions of CCC 40.200.050 (B) (Exceptions to lot size).

The R1-6 district permits a variety of uses outright, conditionally, and by review and approval. The 2 lots proposed in Colby Short Plat are fairly large, because the .87 acre site contains two single-family dwellings. The R1-6 district allows a minimum density of 5.1 units per acre and a maximum density of 7.3 units per acre. A single-family detached dwelling is permitted in the district per Table 40.220.010-1. Table 1 shows the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

**Table 1: Comprehensive Plan, Zoning and Current Land Use**

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Low Density Residential (UL)	Single Family Residential R1-6	The site is flat. There is a single-family building and several trees and grass on the southern section of the property and along its boundary.
North	UL	Ri-6	Single-family dwelling and several and grass.
East	UL	R1-6	Large acreage home site with several trees and grass
South	UL	R1-6	A single-family dwelling and a large tract of land with several trees.
West	UL	R1-6	NE 17 <sup>th</sup> Avenue and a large forested tract of land.

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hillsboro silt loam on slopes ranging from 3 to 8 percent. Maps from Clark County's GIS Mapping System indicate that the site does not

contain any known sensitive lands (e. g. wetlands, a riparian habitat conservation area, areas of potential slope instability, and areas that could be susceptible to severe erosion hazard, if the top soil is exposed). There are no indications of a 100 year flood plain or flood fringe and wetlands mapped on the site.

The property is located within the City of Vancouver's urban growth area (UGA). It is situated in an area served by Fire Protection District 6, Vancouver School District, Hazel Dell Traffic Impact Fees District, and Parks Improvement District 8. Clark Public Utilities provides public water service and Hazel Dell Sewer District provides public sewer service in the area, respectively.

## Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- |                                 |  |
|---------------------------------|--|
| 1. Earth                        | 9. Housing                             |
| 2. Air                          | 10. Aesthetics                         |
| 3. Water                        | 11. Light and Glare                    |
| 4. Plants                       | 12. Recreation                         |
| 5. Animals                      | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation                     |
| 7. Environmental Health         | 15. Public Services                    |
| 8. Land and Shoreline Use       | 16. Utilities                          |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

### Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

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### LAND USE:

#### Finding 1

CCC 40.200.050 (B) (Exceptions to lot size standard for existing lots of record) states as follows

"If, as of June 11, 1980, a lot of record was lawfully occupied by two (2) or more single-family residences, such lot may be granted short plat approval under Chapter 40.540 of this code in order to permit the segregated sale of such residences, even though some

or all of the resulting new lots will have dimensions less than required for the zoning district in which the property is located; provided, however, that the degree of density nonconformity shall not be increased. All lots shall have a minimum of twenty (20) feet of access to a public or private street.”

Staff finds that the .46 acres is a lot of record with a lawful single-family dwelling. Therefore, this short plat proposal can comply with the applicable sections of CCC 40.50.030. The applicant shall comply with all the development standards regarding building height, lot coverage and building setback in the R1-6 Zoning District (per Table 40.220.010-3, see Condition A-1).

#### Finding 2

Staff finds that Lot 1 is fairly large, and could further be divided; therefore a note shall be placed on the short plat indicating that any future development on Lot 1, which involve land division shall not be processed using Residential In-fill Standards, CCC 40.260.110. (See Condition D-1)

#### **CRITICAL AREAS:**

There are no known critical land issues with this development proposal according to Clark County’s GIS mapping System.

#### **TRANSPORTATION CONCURRENCY:**

This two lot short plat does not trigger compliance with the Transportation Concurrency Ordinance.

#### **TRANSPORTATION:**

Pedestrian/Bicycle Circulation

##### Finding 1

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. This development will be required to construct sidewalk along the frontage. Future extension of sidewalk by others will provide adequate pedestrian circulation in vicinity of the site. Bike lanes are not required along the local residential access roads. (See Transportation Finding 3)

Circulation Plan

##### Finding 2

Staff finds that the existing roadways will provide adequate cross-circulation for serving this development and will allow future developments to meet the cross-circulation standards in compliance with Section CCC 40.350.030(B) (2).

Roads

##### Finding 3

NE 17<sup>th</sup> Avenue, abutting the property on the west, is partially improved with pavement, but no curb or sidewalks along the frontage. This road is classified as a “Neighborhood Circulator” road. The minimum right-of-way dedication and improvements along the frontage in accordance with Standard Detail Manual, Drawing #13, shall be:

- A minimum half-width right-of-way of 27 feet

- A minimum half-width pavement of 18 feet
- Curb/gutter and a minimum sidewalk width of 5 feet

The applicant has requested a road modification to waive the requirements for improvements along the property frontage. The road modification request has been denied. (See Transportation Finding 5, Condition A-2)

#### Access Management

##### Finding 4

The existing house located in the proposed Lot 1 is currently accessed via a driveway onto NE 17<sup>th</sup> Avenue. A graveled driveway extends to the area proposed for Lot #2. The driveway entrance to lot #2 shall be surfaced with concrete or asphalt-concrete from the face of the curb back for a distance of 25 feet. (See Condition A-3)

#### Road Modification

##### Finding 5

Modification Requests – A road modification application (EVR2004-00042) has been submitted to request the following modification to the standards:

Not to perform frontage improvements along NE 17<sup>th</sup> Avenue - The narrative submitted with the request indicates that improving the frontage of NE 17<sup>th</sup> Avenue would be disproportional to the impacts created by one additional lot. Therefore, road modification criterion CCC 40.550.010(A) (1) (a) is applicable.

Approval Criteria - If a development cannot comply with the Transportation Standards, modifications may be granted in accordance with the procedures and conditions set out in CCC 40.550.010(A)(1). The request shall meet one (or more) of the following four specific criteria:

- Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available.*
- A minor change to a specification or standard is required to address a specific design or construction problem, which, if not enacted, will result in an unusual hardship.*
- An alternative design is proposed which will provide a plan equal to or superior to these standards.*
- Application of the standards of the Transportation Standards to the development would be grossly disproportional to the impacts created.*

#### (Road Modifications)

##### Recommendation

Based on the applicant's discussions, the findings, and staff's evaluation, the Engineering Service Team Leader with the delegated authority from the County Engineer has **denied** the road modification request. (See Exhibit #11, attached)

### Conclusion (Transportation)

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan, subject to condition A-2 and A-3, meets the requirements of the county transportation ordinance.

### **STORMWATER:**

#### Approval Criteria

#### Finding 1

Stormwater and Erosion Control Ordinance (CCC 40.380) apply to development activities that result in 2,000 square feet or more of new impervious area within the urban area. In accordance with subsection CCC 40.380.030(A)(8), small residential projects that create less than two thousand (2,000) square feet of new impervious surface in urban areas are exempt from water quality and water quantity control, Section 40.380.040(B) and (C). Houses that utilize roof downspout systems to infiltrate roof runoff may be deducted from area calculations. A final stormwater plan is required if stormwater is conveyed off site.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

#### Stormwater Proposal

#### Finding 2

The narrative submitted by the applicant indicates that the project shall not be required to comply with the requirements for stormwater quality and quantity control because the project will not create more than 2,000 square feet of new impervious surfaces, provided the requirements for frontage improvements are waived through a road modification application process. The requested road modification has been denied. (See Transportation Finding 5). Nonetheless, this project is exempt from water quality and quantity requirements in accordance with Section CCC 40.380.030(A) (8). This section of the code allows for deduction of roof areas when the houses utilize downspout systems to infiltrate roof runoff. The applicant's engineer has submitted a narrative certifying that runoff from the existing residence is infiltrated within a functional drywell within Lot #1 and given the tested infiltration rate of approximately 15 inches per hour; infiltration of roof runoff for the proposed Lot #2 appears to be feasible. Therefore, the impervious area calculations do not include the roof area for the new lot because the project proposes to utilize downspout infiltration system.

#### Impervious area calculations

The proposed development site has 89 feet of frontage along NE 17<sup>th</sup> Avenue. The improvements will involve 8 feet of pavement widening, construction of curb/gutter, and 5-foot sidewalk along the frontage. Total area of impervious surface created as a result of required frontage improvements will approximately amount to 1200 square feet  $[89 \times (8 + 5.5) = 1201.5 \text{ sf}]$ . The amount of impervious surface for the new lot's driveway approach will be approximately 400 feet  $[20 \times 20 = 400 \text{ sf}]$ . The roof area is deducted from the impervious area calculations because the applicant's engineer has certified that disposal of roof runoff by infiltration is feasible. Thus, the total impervious area created by the project, minus roof area, is approximately 1600. Therefore, the provisions of



stormwater ordinance for runoff quality and quantity control do not apply to this project.

#### Site Conditions and Stormwater Issues

##### Finding 3

The site with slopes of 0-5 percent contains a concrete driveway, graveled area, grass, landscaping, trees and an existing home, which is to remain on the proposed Lot #1.

The 1972 USDA, SCS soil survey of Clark County shows the site to be underlain by Hillsboro silt loam (HoB) classified by AASHTO as A-4 soils for the depths of 0 to 86 inches below the ground surface (bgs). Hillsboro soils are designated as hydrologic group "B". In accordance Section CCC 40.380.040(C) (3), A-4 soils as defined in AASHTO Specification M145 are not suitable for infiltration.

The applicant has submitted a narrative prepared by Rogers Engineering indicating that a percolation test performed on April 23, 2004, showed an infiltration rate of approximately 15 inches per hour. The applicant has not provided information on the exact location of the test, the boring logs, or the results of the laboratory tests. The project proposes a design infiltration rate of 8 inches per hour within 60 lineal feet of rock infiltration trench.

The applicant will be required to demonstrate that stormwater disposal by infiltration is feasible by submitting reports of onsite infiltration and laboratory tests. The infiltration rates to be used in the design of infiltration facilities shall be obtained from tests conducted at the exact location and depth of the proposed infiltration system. A standard detail and specifications for construction of the individual downspout infiltration system shall be submitted with the engineering plans for review and approval. The project will be required to propose a plan for stormwater conveyance and disposal, intended to prevent adverse impact on the adjacent properties. (See Condition A-4)

Due to the preliminary nature of the submittals and this review, staff is unable to verify the feasibility of infiltration within this particular site. If it is determined that infiltration is not feasible, the impervious surface area calculation should include the roof area. In such a case, the new impervious area will exceed 2,000 square and stormwater quality and quantity control will be required. (See Condition A-5)

##### Conclusion (Stormwater)

Based upon the development site characteristics, the proposed stormwater plan, the requirements of the County's stormwater ordinance, and findings above, staff concludes that the proposed preliminary stormwater plan, subject to conditions A-4 and A-5, and Standard conditions is feasible.

#### **FIRE PROTECTION:**

##### Fire Marshal Review

##### Fire Protection Finding 1

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

## Building Construction

### Fire Protection Finding 2

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (see Condition A-6).

## Fire Flow

### Fire Protection Finding 3

Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval (see Condition A-7).

## Fire Hydrants

### Fire Protection Finding 4

Fire hydrants are required for this application. The indicated number and spacing of fire hydrants are adequate.

## Fire Apparatus Access

### Fire Protection Finding 5

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus (See Condition B-1).

## Fire Apparatus Turnarounds

### Fire Protection Finding 6

Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standard. See Condition C-1)

## **WATER & SEWER SERVICE:**

### Finding 1

Clark Public Utilities provides public water service, and Hazel Dell Sewer District provides public sewer service in the area. Letters from the above districts confirm that adequate services are available to the site.

### Finding 2

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have

been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable).  
(See condition # E-3).

### **IMPACT FEES:**

#### Finding 1

The site is located in Park Impact Fee (PIF) District 8, Vancouver School District Impact Fee (SIF), and Hazel Dell Traffic Impact Fee (TIF) district.

*The following note shall be placed on the final plat stating that:*

"In accordance with CCC 40.610, except for Lot 1 that is exempt, park, school and traffic impact fees for Lot 2 are as follows:

1. \$1,800 PIF (made up of \$1,360.00 acquisition fee, and \$440.00 development fee) per new single-family dwelling in Park District 8;
2. \$1,750.00 SIF per new single-family dwelling in the Vancouver School District; and,
3. \$1,325.92 TIF per new single-family dwelling in Hazel Dell Traffic Impact fee district.

"The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated                     , and expiring on                     . Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules." (See condition of approval B-2)

## **SEPA DETERMINATION and DECISION**

This development proposal was not reviewed under SEPA because there no known critical areas on the site according to data from Clark County GIS Mapping System.

Based upon the proposed plan (identified as Exhibit 1), and the findings and conclusions stated above, the Development Services Manager hereby APPROVES this request, subject to the following conditions of approval:

### **Conditions of Approval**

**A. Conditions that must be met prior to Final Plat approval and recording; or if improvements are approved by the county for bonding or other secure method, such conditions shall be met prior to issuance of Building Permits per CCC, Sections 40.350.030(C)(4)(i) & (j) and 40.380.040N.**

## **Land Use – Zoning**

- A-1** The proposed development shall comply with the R1-6 development standards regarding the building height, lot coverage, and building setbacks (per Table 40.220.010-3 (see Land Use Finding 1)

## **Transportation**

- A-2** Dedication of right-of-way and frontage improvements along NE 94<sup>th</sup> Street consisting of a half-width right of way of 27 feet, a half-width roadway of 18 feet, and curb/gutter and sidewalk width of 5 feet will be required. **(See Transportation Finding 3)**
- A-3** The driveway for the proposed Lot #2 shall be surfaced with concrete or asphalt-concrete from the face of the curb back for a distance of 25 feet. (See Transportation Finding 4)

## **Stormwater and Erosion Control**

- A-4** The applicant shall submit reports of onsite infiltration and laboratory tests. A standard detail and specifications for the individual downspout infiltration system shall be submitted. The applicant shall also submit a plan for stormwater conveyance and disposal for runoff from the created impervious surfaces due to the road improvements and the driveways. (See Stormwater Finding 3)
- A-5** The project shall comply with the stormwater quality and quantity control requirements if it is determined that infiltration in this location is not feasible. (See Stormwater Finding 3)

## **Fire Protection**

- A-6** Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (see Fire Protection Finding 2).
- A-7** Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval (see Fire Protection Finding 3).

## **B. Conditions that must be met prior to issuance of Building Permits**

### **Fire Protection**

- B-1** Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus (See Fire Protection Finding 5).

### **Impact Fees**

**B-2** "In accordance with CCC 40.610, except for Lot 1 that is exempt, park, school and traffic impact fees for Lot 2 are as follows:

1. \$1,800 PIF (made up of \$1,360.00 acquisition fee, and \$440.00 development fee) per new single-family dwelling in Park District 8;
2. \$1,750.00 SIF per new single-family dwelling in the Vancouver School District; and,
3. \$1,325.92 TIF per new single-family dwelling in Hazel Dell Traffic Impact fee district.

"The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules."

### **C. Conditions that must be met prior to issuance of Occupancy Permits**

#### **Fire Protection**

**C-1** Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standard. See Fire Protection Finding 6)

### **D. Notes Required on Final Plat**

The following notes shall be placed on the final plat:

#### **D-1 Land Use - Zoning**

"Any future development proposed on Lot 1 that involve land division, shall not be processed using Residential In-fill Standards, CCC 40.260.110."

#### **D-2 Archaeological:**

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

#### **D-3 Mobile Homes:**

"Placement of Mobile Homes is prohibited."

#### **D-4 Impact Fees:**

"In accordance with CCC 40.610, except for Lot 1 lots designated on the final plat as waived, the School, Park and Traffic Impact Fees for Lot 2 of this short plat are: \$1,725.00 (Vancouver School District), \$ 1,800.00 (\$1,360 - Acquisition; \$440 - Development for Park District #8), and \$1,325.92 (Hazel Dell TIF District)

respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated \_\_\_\_\_, and expiring on \_\_\_\_\_. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

**D-5 Sidewalks:**

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages.

**D-6 Utilities:**

"An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

**D-7 Critical Aquifer Recharge Areas:**

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

**D-8 Driveways:**

"All residential driveway approaches entering public roads are required to comply with CCC 40.350."

**D-9 Privately Owned Stormwater Facilities:**

"The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: Homeowners."

<b>E. Standard Conditions</b>
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This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

**Land Division:**

**E-1** Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

**E-2** Prior to recording the final plat, the applicant shall submit a copy of the approved landscape plan(s) for any public right-of-way (if applicable) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

## **Water Wells and Septic Systems:**

**E-3** Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted to the county, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted. (e.g., at Final Construction Plan Review, Final Plat Review, or prior to occupancy).

## **E-4 Pre-Construction Conference:**

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

## **E-5 Erosion Control:**

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.350 (or as otherwise applicable per the vesting date).

## **E-6 Erosion Control:**

For land divisions, a copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

## **E-7 Erosion Control:**

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

## **E-8 Erosion Control:**

Erosion control facilities shall **not** be removed without County approval.

## **E-9 Excavation and Grading:**

Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).

## **E-10 Excavation and Grading:**

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

## **E-11 Landscaping:**

Prior to the issuance of an approval of occupancy for a site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

**E-12 Transportation:**

Prior to construction, the applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350.

**E-13 Stormwater:**

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan or conveyance/disposal plan, whichever is applicable, designed in conformance to CCC 40.380.

**E-14 Pre-Construction Conference:**

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

**E-15 Erosion Control:**

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

**E-16 Erosion Control:**

For land divisions, a copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

**E-17 Erosion Control:**

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

**E-18 Erosion Control:**

Erosion control facilities shall not be removed without County approval.

**E-19 Excavation and Grading:**

Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC).

**E-20 Excavation and Grading:**

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

**Note: The Development Services Manager reserves the right to provide additional comments and findings of fact regarding this decision, if appealed.**

An **appeal** of any aspect of this decision, including the SEPA determination and any required mitigation measures, may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.



The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on October 27, 2004. Therefore any appeal must be received in this office by 4:30 PM, November 10, 2004.

**APPEAL FILING DEADLINE**

**Date: November 10, 2004**

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of **\$1070** (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, between 8:00 AM and 4:30PM Monday through Friday, at the address listed below.

**Attachments:**

- Copy of Vicinity Map
- Copy of Zoning Map
- Copy of Proposed Preliminary Plan
- Memo from Ali Safayi Regarding to Road Modifications

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A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:  
Web Page at: <http://www.clark.wa.gov>